



JFW

Docket No.: R2180.0059/P059-E
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kazutaka Yamamoto

Confirmation No. 1792

Application No.: 10/678,357

Art Unit: 2655

Filed: October 6, 2003

Examiner: N. Z. Hindi

For: OPTICAL DISC APPARATUS

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action dated July 22, 2004, please reconsider the above-referenced application in light of the following remarks:

Claims 40-49 are rejected under 35 U.S.C. § 102(b) as being anticipated by Roth. Reconsideration is respectfully requested. Roth discloses a system for recording information Va on a record carrier 2. According to Roth, the recording process can be interrupted and resumed (column 2, lines 10+). According to the Office Action, during the interruption of the recording process, "data from a memory" (input buffer 6) is

maintained (Office Action, page 2). The Office Action also points to column 6, lines 62-68 of Roth, which states as follows:

“... The actual interruption of the recording is realized in step S8 [Fig. 2]. In this step, at the instant at which the position is reached where the recording is to be interrupted, the read/write head 3 is set to the read mode and at the same time the transfer of the information from the input memory store 6 is discontinued [by deactivating the generation of the transfer clock signal cl3].”

Claims 40-48 each recite the steps of “transferring encoded information to a record circuit [16]” and “pausing said transferring . . . to stop said record circuit [16] . . . while maintaining said encoded information.” Roth fails to disclose or suggest the step of “maintaining said encoded information,” and the Office Action provides no explanation to the contrary. The Office Action discusses the purported maintenance of data from the input buffer 6, but says nothing about the maintenance of encoded data that is transferred to a record circuit as recited in claims 40-48. This is an important aspect of the claimed invention. Consequently, the rejection of claims 40-48 should be withdrawn.

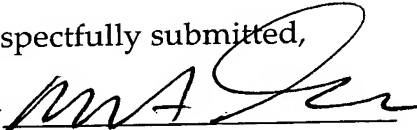
Claim 49, like claims 40-48, recites the step of “pausing said transferring of said encoded information, to stop said record circuit at a first point on said . . . media while maintaining said encoded information.” Roth fails to disclose or suggest the recited step. Consequently, the rejection of claim 49 should be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: October ²⁰~~18~~, 2004

Respectfully submitted,

By



Mark J. Thronson

Registration No.: 33,082

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant